

GIVAUDAN SOUTH AFRICA PROPRIETARY LIMITED

(Registration number: 1956/000115/07)

MANUAL ISSUED IN TERMS OF:

SECTION 51 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000 (PAIA) READ WITH

THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013 (POPIA)

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1. Introduction

This Manual (the Manual) has been compiled in accordance with the requirements of PAIA, read with the relevant sections of POPIA.

Givaudan South Africa Proprietary Limited (**Givaudan**) is a private body as defined in PAIA, and this Manual contains the information specified in section 51 of PAIA, which is applicable to such a private body.

Givaudan South Africa Proprietary Limited forms part of the Givaudan group of companies and is a manufacturer of flavours and fragrances to various industries.

A copy of the Manual will be made available to the Information Regulator, upon request, and will be published on Givaudan South Africa's intranet and/or website. The Manual will be updated on a regular basis in accordance with the requirements of section 51(2) of PAIA.

2. Contact Details

Givaudan Manager, Fatima Bokary, is the head of Givaudan for purposes of PAIA and is Givaudan's information officer for purposes of POPIA.

In addition, Adel Durand has been designated as a deputy information officer for purposes of PAIA and POPIA (referred to as **deputy information officer** or **DIO**).

The information officer's and deputy information officer's contact details are as follows:

Information Officer (IO):

Telephone: +27114068710

E-mail: fatima.bokary@givaudan.com

Deputy Information Officer (DIO):

Telephone: +27114068746

Email: adel.durand@givaudan.com

Postal address:

P O Box 83027

South Hills

2136

Physical address:

9-11 Brunel Road

Tulisa Park

Johannesburg South

2197

3. Guide on how to use PAIA

- 3.1 PAIA grants a requester access to records of a private body, if the record is required for the exercise or protection of any rights. If a public body lodges a request for information from Givaudan, the public body must be acting in the public interest. Requests in terms of PAIA shall be made in accordance with the prescribed procedures, at the rates provided.
- 3.2 The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised guide on how to use PAIA (the **Guide**), in an easily and comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.
- 3.3 The Guide is available in each of the official languages and in braille.
- 3.4 The Guide contains a description of –
- 3.4.1 the objects of PAIA and POPIA;
- 3.4.2 the postal and street address, phone and fax number and, if available, electronic mail address of
- 3.4.2.1 the information officer of every public body, and
- every deputy information officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;
- 3.4.3 the manner and form of a request for-
- 3.4.3.1 access to a record of a public body contemplated in section 11 of PAIA; and
- 3.4.3.2 access to a record of a private body contemplated in section 50 of PAIA;
- 3.4.4 the assistance available from the information officer of a public body in terms of PAIA and POPIA;
- 3.4.5 the assistance available from the Regulator in terms of PAIA and POPIA;
- 3.4.6 all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging-
- 3.4.6.1 an internal appeal;
- 3.4.6.2 a complaint to the Regulator; and
- 3.4.6.3 an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;
- 3.4.7 the provisions of sections 14 and 51 of PAIA requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;
- 3.4.8 the provisions of sections 15 and 52 of PAIA providing for the voluntary disclosure of categories of records by a public body and private body, respectively;
- 3.4.9 the notices issued in terms of sections 22 and 54 of PAIA regarding fees to be paid in relation to requests for access; and
- 3.4.10 the regulations made in terms of section 92 of PAIA.
- 3.5 Members of the public can inspect or make copies of the Guide from the offices of the public and private bodies, including the office of the Regulator, during normal working hours.
- 3.6 The Guide can also be obtained-

- 3.6.1 upon request to the Information Officer of Givaudan;
- 3.6.2 from the website of the Information Regulator (https://inforegulator.org.za/).
- 3.7 A copy of the Guide is also available in the following two official languages, for public inspection during normal office hours-
- 3.7.1 English and isi Zulu.
- 3.8 The contact details for the Information Regulator are (at present) as follows:

The Information Regulator (South Africa)

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Postal Address: P.O Box 31533, Braamfontein, Johannesburg, 2017

Telephone number: +27 (0)10 023-5200 / +27 (0)82 746-4173

Website: https://inforegulator.org.za/
E-mail: enquiries@inforegulator.org.za

4. Records available in terms of any other legislation

- 4.1 Givaudan holds details of its own registration, together with its financial statements, information pertaining to its directors and shareholders and other corporate information required to be retained in terms of the Companies Act, 2008.
- 4.2 It holds information relating to its tax affairs in terms of the Income Tax Act, 1962 (the ITA), the Tax Administration Act, 2011, the Value Added Tax Act, 1991 as well as the Unemployment Insurance Contributions Act, 2002 and the Skills Development Levies Act, 1999.
- 4.3 Givaudan holds information pertaining to its employees as required in terms of applicable employment and other relevant legislation including the Basic Conditions of Employment Act, 1997, the Labour Relations Act, 1995, the Employment Equity Act, 1998, the Occupational Health and Safety Act, 1993, the Compensation for Occupational Injuries and Diseases Act, 1993, the Immigration Act, 2002 and the ITA.
- 4.4 Givaudan holds information pertaining to its customers and service providers in terms of the Financial Intelligence Centre Act, 2001.

5. Access to records

- 5.1 For purposes of facilitating a request in terms of PAIA, the information below includes a description of the subjects on which Givaudan holds records and the categories into which these fall. This information is not exhaustive and may be amended from time to time.
- 5.2 Certain records are available without having to be requested in terms of the request procedures set out in PAIA and detailed in paragraph 6 of the Manual below.
- 5.3 Subject to the provisions of PAIA, information may be inspected, collected, purchased or copied at the offices of Givaudan and, unless the records are available on Givaudan's website, an appointment to view the records will have to be made with the information officer or the deputy information officer.
- 5.4 <u>Categories of records of Givaudan which are available to a person without having to request access in terms of PAIA:</u>

Category	Description	Format	Retention period
Information in the public domain	Incorporation documents	Hard copy and electronic copy	Indefinite
	B-BBEE certificate	Electronic copy	Indefinite
	Annual reports	Electronic copy	7 years
	Audited financial statements	Electronic copy	7 years
	Public statements and communications	Hard copy and electronic copy	Indefinite
	Employment Equity Report	Hard copy and electronic copy	5 years
	General information pertaining to Givaudan and information regarding the services rendered	Electronic copy	Indefinite

5.5 The records listed below, which need to be requested in terms of PAIA and/or POPIA, will not in all instances be provided to a requester. In other words, the records held under the various subjects are not automatically available and access to them is subject to the nature of the information contained in the record, as well as the grounds of refusal as set out in PAIA that may be applicable to a request for such records. (See also paragraph 6.1.6 below.) The procedure in terms of which such records may be requested from Givaudan is set out in paragraph 6.1 below.

5.6 <u>Categories of records that may be requested in terms of PAIA and/or POPIA:</u>

Subjects on which the body holds records	Category / description of record	Format	Retention period
Finance and administration	Givaudan registration records; Bank account records; Books and records of account and financial statements; Annual budget; VAT, SITE and PAYE records;	Hard copy and/or electronic copy	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts

Subjects on which the body holds records	Category / description of record	Format	Retention period
	Asset registers;		
	Details of auditors;		
	External auditor reports;		
	Information pertaining to clients as required in terms of the Financial Intelligence Centre Act;		
	Minutes of the meetings of Givaudan (non-confidential parts);		
	Minutes of the meetings of committees/subcommittees;		
	Minutes of staff meetings and/or management meetings.		
Management	Minutes of meetings of the Executive Committee and subcommittees;	Hard copy and/or electronic copy	Indefinite / as required in terms of applicable
	Internal correspondence;		legislation / as required in terms of
	Resolutions and directives; internal investigation reports;		applicable contracts
	Policies, procedures, and codes;		
	Travel management and arrangements.		
Human Resources	Organisational information (organisational structure, etc.);	Hard copy and/or electronic copy	As required in terms of applicable
	Personnel files;		legislation /
	Contracts, conditions of service and other agreements;		contracts of employment
	Statutory employee records;		
	Records of background checks (including qualification, credit and criminal record checks);		
	Immigration documentation;		
	Retirement fund records;		
	Medical aid records;		

Subjects on which the body holds records	Category / description of record	Format	Retention period
	Budget projections in respect of staff;		
	Employee leave records;		
	Employee payments and benefits (statutory and contractual);		
	Correspondence with or about employees;		
	Performance management records;		
	Records of disciplinary hearings and findings;		
	Records of incapacity proceedings, including medical information;		
	Records of occupational injuries and diseases;		
	Employee declarations in terms of the EEA.		
Relationships with	Agreements with stakeholders;	Hard copy and/or	Indefinite / as
third parties Service level agreemer suppliers;	Service level agreements with suppliers;	electronic copy	required in terms of applicable legislation / as
	Contact details of suppliers;		required in terms of
	Tender and bid documentation;		applicable contracts
	Service level agreements;		
	Details of customers / clients including contact details, details pertaining to transactions, loyalty programmes, etc.;		
	Licences and general conditions for conducting business.		
Information	Computer software;	Hard copy and/or	Indefinite / as
technology	Support and maintenance agreements;	electronic copy	required in terms of applicable legislation / as
	Licensing agreements;		required in terms of
	Records regarding computer systems and programmes.		applicable contracts

Subjects on which the body holds records	Category / description of record	Format	Retention period
Property	Asset registers; Lease agreements in respect of immoveable property; Records regarding insurance in respect of movable or immoveable property.	Hard copy and/or electronic copy	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts
Legal	Litigation; Appeals; Contracts and memoranda of understanding; Regulatory permissions, licenses, and/or exemptions.	Hard copy and/or electronic copy	Indefinite / as required in terms of applicable legislation / as required in terms of applicable contracts

5.7 For purposes of POPIA:

- 5.7.1 For the purposes of facilitating a request for personal information, the information below includes details of the purpose of the processing of personal information by Givaudan, a description of the categories of data subjects and of the information or categories of information relating to data subjects held by Givaudan, the recipients or categories of recipients to whom personal information may be supplied, planned transborder flows of personal information, and a general description allowing a preliminary assessment of the suitability of the information security measures to be implemented by Givaudan to ensure the confidentiality, integrity and availability of the information which is to be processed.
- 5.7.2 In terms of POPIA, a requester to whom certain personal information relates may request Givaudan to confirm, free of charge, whether or not it holds personal information about that particular requester.
- 5.7.3 A requester may make a request that Givaudan provides the record or a description of the personal information about the requester which is held by it, including information about the identity of third parties, or categories of third parties, who have, or have had, access to the information. This request must be made within a reasonable time, in a reasonable manner, and format, at a fee, and in a form that is generally understandable.

5.7.4 <u>Categories of data subjects and categories of personal information relating thereto:</u>

Data subjects	Categories of information
Employees	Human resources information (see above)
Applicants for employment	Contact details
	Recruitment records
Referees	Contact details
	Views or opinions provided about applicants for employment

Previous employees	Contact details
	Human resources information, as required to be retained post-termination of employment (see above)
Customers	Company registration details
	Contact details
	Take-on information in terms of the Financial Intelligence Centre Act, 2001
	Details of services provided and fees charged
Contractors / suppliers	Company registration details
	Contact details and banking details
	Details of services rendered and fees paid

5.7.5 <u>Purposes of processing:</u>

Data subject category	Broad description of purposes of processing
Applicants for employment;	To carry out actions for the consideration of an application for employment;
	To carry out actions necessary for the conclusion of an employment contract;
	To ensure compliance with an obligation imposed by law on Givaudan;
	To pursue the legitimate interests of Givaudan.
Employees	To carry out actions necessary for the performance of the employment contract;
	To ensure compliance with an obligation imposed by law on Givaudan;
	To pursue the legitimate interests of Givaudan or a third party to whom the information is supplied.
Referees	To carry out actions for the consideration of an application for employment.
Customers	To carry out actions necessary for the performance of the services contract;
	To ensure compliance with an obligation imposed by law on Givaudan;
	To pursue the legitimate interests of Givaudan or a third party to whom the information is supplied.

Contractors / service providers	To carry out actions necessary for the performance of the services contract;
	To ensure compliance with an obligation imposed by law on Givaudan;
	To pursue the legitimate interests of Givaudan or a third party to whom the information is supplied.

5.7.6 Likely recipients:

Data subjects	Likely recipients (including external third parties)
Applicants for employment;	Human resources department
Employees / Contractors	Finance department
	Line management
	EHS
	IM&T
	Other Givaudan departments
	Givaudan Business Solutions
Referees	Human resources department
	Line management
Customers	Marketing department
	Commercial team
	Givaudan Business Solutions (Customer Care
	and Customer Support)
Service providers	Procurement (IM&S)
	Givaudan Business Solutions (EDM)
	Finance department

5.7.7 Planned transborder flows of personal information:

Yes

Givaudan transfers personal information to other companies within the Givaudan group of companies.

Givaudan has several Business Solutions (GBS) located in different countries. Depending on the type of data subject's request, different function (department) within GBS will support the relevant request.

Givaudan as a multinational organisation uses many different global solutions (software, applications). For consistency purposes, personal information is processed by Givaudan South Africa using these global solutions. Where personal information is collected in South Africa and transferred to a Givaudan group company outside of South Africa, Givaudan ensures that an adequate level of protection is afforded to the personal information in accordance with the principles contained in POPIA.

Please visit Givaudan website to find out more about the location of Givaudan companies.

5.7.8 General description of information security measures:

Givaudan business relies more and more on Information Systems, which makes Information Security increasingly important for our business resilience. Therefore, Givaudan has implemented different Technical and Organisational security measures in line with security standards which are handled and monitored by a dedicated Information Security team. For more information contact them at global.information_security@givaudan.com

6. The request procedure

6.1 Form of request

- A request for access to records held by Givaudan in terms of section 53 of PAIA must be made on a form that corresponds substantially with Form 2 of Annexure A to the Regulations Relating to the Promotion of Access to Information, 2021. A copy of the form is attached as Schedule A to the Manual. The request must be made to the information officer / deputy information officer of Givaudan at the address, telefax number or e-mail address specified in paragraph 2 above and emailed to global.dataprotection@givaudan.com.
- 6.1.2 The requester must provide sufficient detail on the prescribed form to enable the information officer / deputy information officer of Givaudan to identify the record and the identity of the requester. The requester must submit details of the capacity in which the requester is making the request and indicate whether the request is made in their own name or on behalf of another person. Proof of identity of the requester must be attached to the request if it is in their own name. If a request is made on behalf of another person or entity, the requester must attach proof of authorisation to make the request.
- 6.1.3 The requester is also required to indicate what type of record s/he/it is requesting and what form of access to the relevant records is required. Additionally, the requester must provide her/his/its contact details and indicate what manner of access is requested.
- The requester must provide particulars of the right to be exercised or protected and explain why the record requested is required for the exercise and protection of the aforementioned right.
- 6.1.5 For the purposes of Form 2, the requester must comply with all the procedural requirements in PAIA relating to a request for access to the relevant records.
- 6.1.6 Givaudan may, and must in certain instances, refuse access to records on any of the grounds set out in Chapter 4 of Part 3 of PAIA. These grounds include: that access would result in the unreasonable disclosure of personal information about a third party, that it is necessary to protect the commercial information of a third party or Givaudan itself, that it is necessary to protect the confidential information of a third party, that it is necessary to protect the safety of individuals or property, that a record

constitutes privileged information for legal proceedings, or that it is necessary to protect the research information of a third party or Givaudan itself.

- 6.1.7 If all reasonable steps have been taken to find a record that a requester has requested, and there are reasonable grounds for believing that the record is in Givaudan's possession but cannot be found, or it does not exist, then the information officer or deputy information officer will, by way of an affidavit or affirmation, notify the requester that it is not possible to give access to that record.
- The information officer/deputy information officer must, if a request for access to a record is granted or refused, inform a requester of her/his decision and the fees payable. This must be done on a form that corresponds substantially with Form 3 of Annexure A to the Regulations. A request for a copy of the Guide may not be refused. If the requester wishes to be informed of Givaudan's decision in another manner as well, this must be set out in the request and the relevant details included in order to allow Givaudan to inform the requester in the preferred manner.
- 6.1.9 Givaudan, subject to the approval of Givaudan Global Data Protection Office and the local lawyer, will make a decision in relation to a request for records within 30 days of receiving it, unless a third party notification and intervention, as contemplated in Chapter 5 of PAIA, applies. This period may be extended in appropriate circumstances, in accordance with section 57 of PAIA.

6.2 <u>Fees</u>

6.2.1 The <u>access fees</u> for reproduction of information that is automatically available from Givaudan (a section 52 request), are as follows:

(a)	For every photocopy/printed black and white copy of an A4-size page or part thereof.	R2,00
(b)	For every printed copy of an A4-size page or part thereof	R2,00
(d)	For a transcription of visual images, for an A4-size page or part thereof	Service to be outsources, will depend on quotation from service provider.
(e)	For a copy of visual images	Service to be outsources, will depend on quotation from service provider.
(f)	For a transcription of an audio record, for an A4-size page	Service to be outsourced, will depend on quotation from service provider.

6.2.2 The <u>request fee and access fees</u> for information which needs to be requested in terms of PAIA and/or POPIA (a section 53 request) are as follows:

(a) Request fee payable by every requester R140.0

(b)	For every photocopy/printed black and white copy of an A4-size page or part thereof	R2,00
(c)	For every printed copy of an A4-size page or part thereof	R2,00
(e)	For a transcription of visual images, for an A4-size page or part thereof	Service to be outsources, will depend on quotation from service provider.
(f)	For a copy of visual images	Service to be outsources, will depend on quotation from service provider.
(g)	For a transcription of an audio record, for an A4-size page	Service to be outsourced, will depend on quotation from service provider.
(i)	To search for and prepare the record for disclosure for each hour or part of an hour, excluding the first hour, reasonably. To not exceed a total cost of:	R145,00 R435,00
(j)	Deposit: if search exceeds 6 hours	One third of amount per request calculated in terms of items (b) to (g).
(k)	Postage, e-mail or any other electronic transfer	Actual expense, if any.

- 6.2.3 The request fee must be paid before the request will be considered.
- 6.2.4 Where a request for access to a record or records held by Givaudan is granted, the requester also has to pay an <u>access fee</u> for the reproduction of the record or records and for the search for and the preparation of the records for disclosure. The access fee amount depends on the form in which access is required and the reasonable time required to search for and prepare the record. The requester will be notified of the amount of the access fee. Givaudan is entitled to withhold a record until the required access fees have been paid.
- 6.2.5 The information officer may inform the requester to pay, as a deposit, a portion of the access fee (not exceeding one third of the amount payable) if the request is granted and if the search for the record and the preparation of the record for disclosure would in the information officer's opinion require more than six hours.

6.2.6 If a request is granted, the deposit (if any), is payable before the request will be processed and the requested record or portion thereof will only be released once proof of full payment is received.

6.3 Remedies for refusal to request for information

6.3.1 Internal remedy

Givaudan does not have an internal appeal procedure. As such, the decision made by the information officer or deputy information officer is final, and requestors will have to exercise such external remedies at their disposal if the request for information is refused, and the requestor is not satisfied with the answer supplied by the information officer or deputy information officer.

6.3.2 External remedy

Where a requester is not satisfied by a decision made by information officer or deputy information officer of Givaudan, s/he/it may submit a complaint to the Information Regulator, or apply to court for relief, within 180 days of receiving the decision that has caused the grievance. The court application can be made to a Magistrate's Court or High Court.

7. Other information as may be prescribed

The amended Regulations published in terms of PAIA, under Government Notice R757 in *Government Gazette* 45057 of 27 August 2021, set out, among other things, the fees which may be charged by private bodies for the reproduction of records (provided in the table above).

8. Availability of the Manual

This Manual is available at the office of Givaudan at the address set out in paragraph 2 above, as well as on Givaudan's website (givaudan.com).

9. Acknowledgement

The Manual has been based on an original template supplied by the SAHRC and amended accordingly based on a template supplied by the Information Regulator.

FORM 2

REQUEST FOR ACCESS TO RECORD

(Section 53(1) of the Promotion of Access to Information Act, 2000)

[Regulation 7]

 Proof of identity must be attached by the reque

2 It re	requests made on	hehalt of	another person	proof of su	ch authorisation	must be attac	rhed to	this t	form
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то:	The information of	ficer		
	(Add	dress)		
E-mail a	ddress:			
Fax num	ber:			
Mark wi	th an "X" Request is ma	de in my own name		Request is made on behalf of another person
		PERS	ONAL INFORM	IATION
Full nam	nes:			
Identity	number:			
is made	y in which request e (when made on of another person):			
Postal a	ddress:			
Street a	ddress:			
E-mail a	ddress:			
	numbers:			

	Tel. (B):		Facsimile		
	Cellular:		:		
Full names of person on whose behalf request is made (if applicable):	Centular				
Identity number:					
Postal address:					
Street address:					
E-mail address:					
Contact numbers:					
	Tel. (B):		Facsimile :		
	Cellular:				
	PARTI	CULARS OF RECORD REQU	ESTED		
Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located. (If the provided space is inadequate, please continue on a separate page and attach it to this form. All additional pages must be signed.)					
Description of record of relevant part of the record:					
Reference number, if available:					
Any further particulars of record:					
TYPRE OF RECORD					
(Mark the applicable box with an "X".)					
Record is in written or prin	ted form.				
Record comprises of virtugenerated images, sketches		his includes photographs, sli	des, video	recordings, computer-	
-	-	formation which can be repro	duced in sou	und.	
Record is held on a computer or in an electronic, or machine-readable form.					

FORM OF ACCESS					
(Mark if applicable box with an "X")					
Printed copy of record (including copies of any virtual images, transcriptions and information held on computer or in an electronic or machine-readable form).					
Written or printed transcription of virtual images (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.).					
Transcription of soundtrack (written or printed document).					
Copy of record saved on cloud storage server.					
MANNER OF ACCESS					
(Mark the applicable box with an "X.)					
Personal inspection of record at registered address of public/private body (including listening to recorded words, information which can be reproduced in sound, or information held on computer or in an electronic or machine-readable form).					
Postal services to postal address.					
Postal services to street address.					
Courier service to street address.					
Facsimile of information in written or printed format (including transcriptions).					
E-mail of information (including soundtracks if possible).					
Cloud share/file transfer.					
Preferred language:					
(Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.					
PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED					
(If the provided space is inadequate, please continue on a separate page and attach it to this Form. The requester must sign all the additional pages.)					
Indicate which right is to be exercised or protected:					
Explain why the record requested is required for the exercise or protection of the aforementioned right:					
FEES					
a) A request fee must be paid before the request will be considered					

b) You will be notified o	f the amount of the access fee	e to be paid.		
c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.				
d) If you qualify for exer	mption of the payment of any	fee, please state the reason for exemption.		
Reason:				
You will be notified in writing to your request, if any. Please		en approved or denied and if approved the costs relating oner of correspondence.		
Postal address	Facsimile	Electronic communication (Please specify)		
Signed at Signature of requester/person				
	FOR OFFIC	IAL USE		
Reference number:				
Request received by (state rai	nk, name and surname of info	ormation).		
Date received:				
Access fees:				
Deposit (if any):				
Signature of information office	er			